

REMARKS

This amendment is in response to the Non-Final Office Action dated January 19, 2010 (the “Office Action”). Claims 11-20, 40-50, 69-78, and 87-90 are pending in the application. Claims 11-15, 40-45, and 69-78 have been amended. Claims 87-90 are new. No new matter has been added.

Claims 11, 15-20, 40, 41, 45-50, 69, and 73-78 are Allowable

The Office rejected claims 11, 15-20, 40, 41, 45-50, 69, and 73-78, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,571,392 (“Zigmond”) in view of U.S. Patent No. 6,240,555 (“Shoff”). Applicants respectfully traverse the rejections.

Claims 11 and 15-20

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 11. For example, the cited portions of the above-cited references fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device,” as in claim 11.

Zigmond describes information from an information source that is supplied to a display device along with video content when a triggering event occurs. The information may be retrieved from a cache of a receiver device or from the internet. *See* Zigmond, Abstract. The cited portions of Zigmond do not disclose or suggest that a determination is made when a specified portion of the information has been sent to the receiver. Therefore, the cited portions of Zigmond fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device,” as in claim 11.

Shoff describes an interactive entertainment system that enables presentation of supplemental interactive content along side traditional broadcast video programs. The supplemental interactive content is provided as part of the same program signal over the broadcast network, or separately over another distribution network, such as the internet. Shoff describes presentation of a button that indicates the supplemental interactive content. When a user selects the button, the supplemental interactive content is displayed. *See* Shoff, Abstract,

FIGS. 8b-8c, and col. 11, line 41 through col. 12, line 23. Shoff describes providing a button that allows retrieval from the internet of supplemental alternate content when the button is selected. The cited portions of Shoff do not disclose or suggest determining when a specified portion of supplemental alternate content has been sent to a terminal device. Therefore, the cited portions of Shoff fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device,” as in claim 11.

Therefore, the cited portions of Zigmond and Shoff, individually or in combination, fail to disclose or suggest at least one element of claim 11. Hence, claim 11 is allowable. Claims 15-20 are allowable, at least by virtue of their dependence from claim 11.

Claims 40, 41 and 45-50

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 40. For example, the cited portions of the above-cited references fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40.

The Office admits that Zigmond only describes triggering a display of a locally stored information resource and does not display an option to select the locally stored information resource. *See* Office Action, page 4, lines 11-13.

Shoff describes an interactive entertainment system that enables presentation of supplemental interactive content along side traditional broadcast video programs. The supplemental interactive content is provided as part of the same program signal over the broadcast network, or separately over another distribution network, such as the internet. Shoff describes presentation of a button that indicates the supplemental interactive content. When a user selects the button, the supplemental interactive content is displayed. *See* Shoff, Abstract, FIGS. 8b-8c, and col. 11, line 41 through col. 12, line 23. The cited portions of Shoff do not disclose or suggest providing the button to a user when the button is determined to be relevant to the user. Therefore, the cited portions of Shoff fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television

program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40.

Therefore, the cited portions of Zigmond and Shoff, individually or in combination, fail to disclose or suggest at least one element of claim 40. Hence, claim 40 is allowable. Claims 41 and 45-50 are allowable, at least by virtue of their dependence from claim 40.

Claims 69 and 73-78

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 69. For example, the cited portions of the above-cited references fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the particular user and a particular cache of a particular terminal device of the at least one terminal device that is associated with the particular user received at least a specified portion of the alternate content,” as in claim 69.

The Office admits that Zigmond only describes triggering a display of a locally stored information resource and does not display an option to select the locally stored information resource. *See* Office Action, page 4, lines 11-13.

Shoff describes an interactive entertainment system that enables presentation of supplemental interactive content along side traditional broadcast video programs. The supplemental interactive content is provided as part of the same program signal over the broadcast network, or separately over another distribution network, such as the internet. Shoff describes presentation of a button that indicates the supplemental interactive content. When a user selects the button, the supplemental interactive content is displayed. *See* Shoff, Abstract, FIGS. 8b-8c, and col. 11, line 41 through col. 12, line 23. The cited portions of Shoff do not disclose or suggest displaying the button when the button is determined to be relevant to a particular user. The cited portions of Shoff also do not disclose or suggest displaying the button when at least a specified portion of the supplemental interactive content has been downloaded to a cache. Therefore, the cited portions of Shoff fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the particular user and a particular cache of a particular terminal device of the at least one terminal device that is

associated with the particular user received at least a specified portion of the alternate content,” as in claim 69.

Therefore, the cited portions of Zigmond and Shoff, individually or in combination, fail to disclose or suggest at least one element of claim 69. Hence, claim 69 is allowable. Claims 73-78 are allowable, at least by virtue of their dependence from claim 69.

Claims 12, 13, 42, 43, 70, and 71 are Allowable

The Office rejected claims 12, 13, 42, 43, 70, and 71, under 35 U.S.C. §103(a), as being unpatentable over Zigmond, in view of Shoff, and further in view of U.S. Patent No. 6,477,579 ("Kunkel"). Applicants respectfully traverse the rejections.

Claims 12 and 13

Claims 12 and 13 depend from claim 11. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 11. The cited portions of Kunkel fail to disclose or suggest the elements of claim 11 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Kunkel fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device,” as in claim 11. Kunkel describes providing interactive access to an information source through a networked distribution system. The information source may be determined based on information supplied or generated by a provider of video content. *See* Kunkel, Abstract, and col. 4, line 43 through col. 5, line 7. The cited portions of Kunkel do not disclose or suggest determining when a specified portion of alternate content is sent to a terminal device. Therefore, the cited portions of Zigmond, Shoff, and Kunkel, individually or in combination, fail to disclose or suggest at least one element of claim 11, from which claims 12 and 13 depend. Hence, claim 12 and 13 are allowable, at least by virtue of their dependence from claim 11.

Claims 42 and 43

Claims 42 and 43 depend from claim 40. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 40. The cited portions of Kunkel fail to disclose or suggest the elements of claim 40 not disclosed or suggested

by the cited portions of Zigmond and Shoff. For example, the cited portions of Kunkel fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40. Kunkel describes providing interactive access to an information source through a networked distribution system. The information source may be determined based on information supplied or generated by a provider of video content. *See* Kunkel, Abstract, and col. 4, line 43 through col. 5, line 7. The cited portions of Kunkel do not disclose or suggest providing an on-screen image to a user when the on-screen image is determined to be relevant to the user. Therefore, the cited portions of Zigmond, Shoff, and Kunkel, individually or in combination, fail to disclose or suggest at least one element of claim 40, from which claims 42 and 43 depend. Hence, claim 42 and 43 are allowable, at least by virtue of their dependence from claim 40.

Claims 70 and 71

Claims 70 and 71 depend from claim 69. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 69. The cited portions of Kunkel fail to disclose or suggest the elements of claim 69 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Kunkel fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the particular user and a particular cache of a particular terminal device of the at least one terminal device that is associated with the particular user received at least a specified portion of the alternate content,” as in claim 69. Kunkel describes providing interactive access to an information source through a networked distribution system. The information source may be determined based on information supplied or generated by a provider of video content. *See* Kunkel, Abstract, and col. 4, line 43 through col. 5, line 7. The cited portions of Kunkel do not disclose or suggest displaying an on-screen image when the on-screen image is determined to be relevant to a particular user. The cited portions of Kunkel also do not describe displaying the on-screen image when a selected portion of the alternate content is cached. Therefore, the cited portions of Zigmond, Shoff, and Kunkel, individually or in combination, fail to disclose or suggest at least one element of claim 69, from which claims 70

and 71 depend. Hence, claim 70 and 71 are allowable, at least by virtue of their dependence from claim 69.

Claims 14, 44, and 72 are Allowable

The Office rejected claims 14, 44, and 72, under 35 U.S.C. §103(a), as being unpatentable over Zigmond, in view of Shoff, and further in view of U.S. Patent No. 7,337,457 ("Pack"). Applicants respectfully traverse the rejections.

Claim 14

Claim 14 depends from claim 11. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 11. The cited portions of Pack fail to disclose or suggest the elements of claim 11 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Pack fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device,” as in claim 11. Pack describes providing and obtaining product information shown in video content by accessing a web site address provided along with the video content. *See Pack, Abstract.* The cited portions of Pack do not disclose or suggest determining when a specified portion of alternate content has been sent to a terminal device. Therefore, the cited portions of Zigmond, Shoff, and Pack, individually or in combination, fail to disclose or suggest at least one element of claim 11, from which claim 14 depends. Hence, claim 14 is allowable, at least by virtue of its dependence from claim 11.

Claim 44

Claim 44 depends from claim 40. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 40. The cited portions of Pack fail to disclose or suggest the elements of claim 40 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Pack fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40. Pack describes providing and obtaining product information shown in video content by accessing a web site address provided along with

the video content. *See Pack, Abstract.* Pack describes providing a web site address for all identified products in the video content without any determination of relevance of the identified products to the user. The cited portions of Pack do not disclose or suggest providing the on-screen image to a user when the on-screen image is determined to be relevant to the user. Therefore, the cited portions of Zigmond, Shoff, and Pack, individually or in combination, fail to disclose or suggest at least one element of claim 40, from which claim 44 depends. Hence, claim 44 is allowable, at least by virtue of its dependence from claim 40.

Claim 72

Claim 72 depends from claim 69. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 69. The cited portions of Pack fail to disclose or suggest the elements of claim 69 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Pack fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the particular user and a particular cache of a particular terminal device of the at least one terminal device that is associated with the particular user received at least a specified portion of the alternate content,” as in claim 69. Pack describes providing and obtaining product information shown in video content by accessing a web site address provided along with the video content. *See Pack, Abstract.* Pack describes providing a web site address for all identified products in the video content without any determination of relevance of the identified products to the user. The cited portions of Pack do not disclose or suggest displaying the on-screen image t when the on-screen image is determined to be relevant to a particular user. The cited portions of Pack also do not describe displaying the on-screen image when a selected portion of the alternate content is cached. Therefore, the cited portions of Zigmond, Shoff, and Pack, individually or in combination, fail to disclose or suggest at least one element of claim 69, from which claim 72 depends. Hence, claim 72 is allowable, at least by virtue of its dependence from claim 69.

Claims 87-90 are Allowable

Claims 87 and 88 depend from claim 69. Claims 87 and 88 are allowable, at least by virtue of their dependence from claim 69. Claims 89 and 90 depend from claim 11. Claims 89 and 90 are allowable, at least by virtue of their dependence from claim 11.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

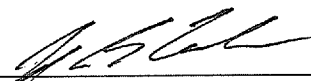
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date



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